

DANIEL G. BOGDEN  
United States Attorney

HOLLY A. VANCE  
Assistant United States Attorney  
100 West Liberty Street, Suite 600  
Reno, NV 89501  
Tel: (775) 784-5438  
[holly.a.vance@usdoj.gov](mailto:holly.a.vance@usdoj.gov)

Attorneys for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ANNA GALAZA, ) Case No. 2:16-CV-00878-RFB-CWH

Plaintiff, )

v. )

JEH CHARLES JOHNSON, an individual; )

DOE INDIVIDUALS 1 through 300; )

and ROE BUSINESS OR GOVERNMENTAL )

ENTITIES 1 through 300, Inclusive, )

Defendant. )

**JOINT MOTION TO DEFER EARLY**  
**NEUTRAL EVALUATION SESSION**

COME NOW Plaintiff Anna Galaza (“Plaintiff”) and Defendant Jeh Charles Johnson, Secretary of the Department of Homeland Security (“Defendant”), and jointly move to defer the Early Neutral Evaluation (“ENE”) Session currently scheduled for November 14, 2016 pending the Court’s ruling on Defendant’s Motion to Dismiss. (ECF Nos. 13-14).

**ARGUMENT**

On April 18, 2016, Plaintiff filed this action against Defendant and other unnamed defendants, alleging violations of the Rehabilitation Act and Title VII of the Civil Rights Act. (ECF No. 1). The

claims asserted relate to Plaintiff's previous employment as a Transportation Security Officer with the Transportation Security Administration, Department of Homeland Security. (ECF No. 1). On September 16, 2016, Defendant moved to dismiss the case on jurisdictional grounds. (ECF No. 13). The Court has not yet ruled on the motion. Because Defendant's motion has not yet been decided, the parties will be unable to meaningfully participate in the scheduled ENE Session as they cannot properly frame the issues in the litigation or proffer a fair and reasonable settlement amount. Accordingly, the parties jointly request that the ENE Session be deferred until after the Court rules on Defendant's Motion to Dismiss. Should Plaintiff's claims survive Defendant's motion, an ENE Session can be scheduled at that time.

### CONCLUSION

For the reasons argued above, the parties respectfully request that the ENE Session scheduled for November 14, 2016 be deferred until after the Court rules on Defendant's Motion to Dismiss. IT IS HEREBY ORDERED that a status conference is scheduled for 10:00 a.m., February 7, 2017, in courtroom 3D.

Dated: September 28, 2016.

DANIEL G. BOGDEN  
United States Attorney

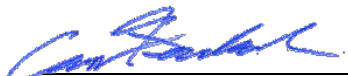
PHILIP J. TRENCHAK, ESQ.  
Law Office of Philip J. Trenchak, Esq.

/s/ Holly A. Vance  
HOLLY A. VANCE  
Assistant United States Attorney

/s/ Philip J. Trenchak  
PHILIP J. TRENCHAK  
Counsel for Plaintiff, Galaza

IT IS SO ORDERED:

Dated: October 4, 2016.

  
CAM FERENBACH  
U.S. Magistrate Judge